

Page 1 of 2

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2007-1547-AIR-E TCEQ ID: RN102450756 CASE NO.: 34677**  
**RESPONDENT NAME: ExxonMobil Oil Corporation**

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> <b>1660 AGREED ORDER</b>	<input type="checkbox"/> <b>FINDINGS AGREED ORDER</b>	<input type="checkbox"/> <b>FINDINGS ORDER FOLLOWING SOAH HEARING</b>
<input type="checkbox"/> <b>FINDINGS DEFAULT ORDER</b>	<input type="checkbox"/> <b>SHUTDOWN ORDER</b>	<input type="checkbox"/> <b>IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER</b>
<input type="checkbox"/> <b>AMENDED ORDER</b>	<input type="checkbox"/> <b>EMERGENCY ORDER</b>	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> <b>AIR</b>	<input type="checkbox"/> <b>MULTI-MEDIA (check all that apply)</b>	<input type="checkbox"/> <b>INDUSTRIAL AND HAZARDOUS WASTE</b>
<input type="checkbox"/> <b>PUBLIC WATER SUPPLY</b>	<input type="checkbox"/> <b>PETROLEUM STORAGE TANKS</b>	<input type="checkbox"/> <b>OCCUPATIONAL CERTIFICATION</b>
<input type="checkbox"/> <b>WATER QUALITY</b>	<input type="checkbox"/> <b>SEWAGE SLUDGE</b>	<input type="checkbox"/> <b>UNDERGROUND INJECTION CONTROL</b>
<input type="checkbox"/> <b>MUNICIPAL SOLID WASTE</b>	<input type="checkbox"/> <b>RADIOACTIVE WASTE</b>	<input type="checkbox"/> <b>DRY CLEANER REGISTRATION</b>
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> ExxonMobil Beaumont Refinery, 1795 Burt Street, Beaumont, Jefferson County</p> <p><b>TYPE OF OPERATION:</b> Petroleum refinery</p> <p><b>SMALL BUSINESS:</b>    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are six additional pending enforcement actions regarding this facility location, Docket Nos. 2008-0153-AIR-E, 2007-1995-AIR-E, 2007-1658-AIR-E, 2007-1606-AIR-E, 2005-0228-AIR-E, and 2007-1410-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on April 14, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b></p> <p style="padding-left: 20px;"><b>TCEQ Attorney/SEP Coordinator:</b> Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768</p> <p style="padding-left: 20px;"><b>TCEQ Enforcement Coordinator:</b> Mr. James Nolan, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-6634; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171</p> <p style="padding-left: 20px;"><b>Respondent:</b> Mr. Daniel Risso, Plant Manager, Agent, and Attorney-In-Fact, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704</p> <p style="padding-left: 20px;"><b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> April 27, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> August 30, 2007 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation.</p> <p><b>AIR</b></p> <p>1) Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound ("VOC") emissions for the CHD-1 flare. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year ("tpy") during January 2006 and February 2006 with rolling averages of 18.38 tpy and 18.95 tpy, respectively [30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>2) Failed to maintain the annual 12 month rolling average limit for VOC emissions for the Low Pressure ("LP") flare. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy [30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p> <p>3) Failed to maintain the annual 12 month rolling average limit for VOC emissions for the High Pressure ("HP") flare. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy [30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH &amp; SAFETY CODE § 382.085(b)].</p>	<p><b>Total Assessed:</b> \$31,375</p> <p><b>Total Deferred:</b> \$6,275  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$12,550</p> <p><b>Total Paid to General Revenue:</b> \$12,550</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented corrective measures at the Plant by initiating the permit amendment process on New Source Review Permit No. 49138, resulting in a permit change effective April 7, 2006 which brought the Respondent into compliance.</p> <p><b>Ordering Provisions:</b></p> <p>The order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

Additional ID No(s): JE00671

**Attachment A**  
**Docket Number: 2007-1547-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>ExxonMobil Oil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Twenty-Five Thousand One Hundred Dollars (\$25,100)</b>
<b>SEP Amount:</b>	<b>Twelve Thousand Five Hundred Fifty Dollars (\$12,550)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Texas Association of Resource Conservation and Development Areas, Inc. ("RC&amp;D")- Clean School Buses</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**A. Project**

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO<sub>x</sub>) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("EPA") or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

**B. Environmental Benefit**

This SEP will provide a discernible environmental benefit by reducing particulate matter and hydrocarbon emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.



C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.  
1716 Briarcrest Drive, Suite 510  
Bryan, Texas 77802-2700

**3. Records and Reporting**

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality  
Financial Administration Division, Revenues  
Attention: Cashier, MC 214  
P.O. Box 13088  
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.



**5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.







Policy Revision 2 (September 2002)

## Penalty Calculation Worksheet (PCW)

PCW Revision June 26, 2007

TCEQ

DATES

Assigned

4-Sep-2007

PCW

19-Sep-2007

Screening

19-Sep-2007

EPA Due

26-May-2008

## RESPONDENT/FACILITY INFORMATION

Respondent ExxonMobil Oil Corporation

Reg. Ent. Ref. No. RN102450756

Facility/Site Region 10-Beaumont

Major/Minor Source Major

## CASE INFORMATION

Enf./Case ID No. 34677

Docket No. 2007-1547-AIR-E

Media Program(s) Air

Multi-Media

No. of Violations 3

Order Type 1660

Enf. Coordinator James Nolan

EC's Team Enforcement Team 4

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

## Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$12,500

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

176% Enhancement

Subtotals 2, 3, &amp; 7

\$22,000

Notes

Penalty enhancement due to nine prior similar NOV's, seven prior nonsimilar NOV's, and six prior 1660 orders. Penalty reduction due to one prior NOA and one prior DOV.

Culpability

No

0% Enhancement

Subtotal 4

\$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

25% Reduction

Subtotal 5

\$3,125

Before NOV

NOV to EDRP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes

The permit was amended on 4/7/2006.

0% Enhancement\*

Subtotal 6

\$0

Total EB Amounts \$11

Approx. Cost of Compliance \$3,000

\*Capped at the Total EB \$ Amount

## SUM OF SUBTOTALS 1-7

Final Subtotal

\$31,375

## OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Adjustment

\$0

Notes

Final Penalty Amount

\$31,375

## STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$31,375

## DEFERRAL

20% Reduction

Adjustment

-\$6,275

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

## PAYABLE PENALTY

\$25,100

Screening Date 19-Sep-2007

Docket No. 2007-1547-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 34677

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator James Nolan

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	9	45%
	Other written NOVs	7	14%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 176%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Penalty enhancement due to nine prior similar NOVs, seven prior nonsimilar NOVs, and six prior 1660 orders. Penalty reduction due to one prior NOA and one prior DOV.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 176%

<b>Screening Date</b> 19-Sep-2007 <b>Respondent</b> ExxonMobil Oil Corporation <b>Case ID No.</b> 34677 <b>Reg. Ent. Reference No.</b> RN102450756 <b>Media [Statute]</b> Air <b>Enf. Coordinator</b> James Nolan <b>Violation Number</b> 1 <b>Rule Cite(s)</b> 30 Tex. Admin. Code § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and Texas Health & Safety Code § 382.085(b)  <b>Violation Description</b> Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound emissions for the CHD-1 flare. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year (tpy) during January 2006 and February 2006 with rolling averages of 18.38 tpy and 18.95 tpy, respectively.	<b>Docket No.</b> 2007-1547-AIR-E <b>PCW</b> <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision June 26, 2007</i>
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<b>Base Penalty</b>	\$10,000
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**>> Environmental, Property and Human Health Matrix**

OR		<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor	
	Actual			x	
	Potential				<b>Percent</b> 25%

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
					<b>Percent</b> 0%

Matrix Notes	Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.
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<b>Adjustment</b>	\$7,500
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	\$2,500
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**Violation Events**

Number of Violation Events	2	59	Number of violation days
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mark only one with an x	daily		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

<b>Violation Base Penalty</b>	\$5,000
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Two quarterly events are recommended.	
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<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount	\$9
	<b>Violation Final Penalty Total</b> \$12,550
<b>This violation Final Assessed Penalty (adjusted for limits)</b> \$12,550	

**Economic Benefit Worksheet****Respondent** ExxonMobil Oil Corporation**Case ID No.** 34677**Reg. Ent. Reference No.** RN102450756**Media** Air**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,000	30-Jan-2006	7-Apr-2006	0.2	\$9	n/a	\$9
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated cost of training and implementation of procedures to verify operation within permit parameters. Date required is the first day data was available as to rolling averages of flare emissions. Final date is the day the revised permit went into effect.

**Avoided Costs****ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs****Approx. Cost of Compliance**

\$1,000

**TOTAL**

\$9

Screening Date 19-Sep-2007

Docket No. 2007-1547-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 34677

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator James Nolan

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and Texas Health &amp; Safety Code § 382.085(b)

Violation Description

Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound emissions for the Low Pressure (LP) flare. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual		x	
Potential			

Percent 50%

## &gt;&gt; Programmatic Matrix

	Major	Moderate	Minor
Falsification			

Percent 0%

Matrix Notes

Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.

Adjustment \$5,000

\$5,000

## Violation Events

Number of Violation Events 1

31 Number of violation days

mark only one  
with an x

daily	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$5,000

One monthly event is recommended.

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$12,550

This violation Final Assessed Penalty (adjusted for limits) \$12,550

**Economic Benefit Worksheet****Respondent** ExxonMobil Oil Corporation**Case ID No.** 34677**Reg. Ent. Reference No.** RN102450756**Media** Air**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,000	31-Mar-2006	7-Apr-2006	0.0	\$1	n/a	\$1
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated cost of training and implementation of procedures to verify operation within permit parameters. Date required is the first day data was available as to rolling averages of flare emissions. Final date is the day the revised permit went into effect.

**Avoided Costs****ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs****Approx. Cost of Compliance****\$1,000****TOTAL****\$1**

Screening Date 19-Sep-2007

Docket No. 2007-1547-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 34677

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator James Nolan

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and Texas Health &amp; Safety Code § 382.085(b)

## Violation Description

Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound emissions for the High Pressure (HP) flare. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

## Violation Events

Number of Violation Events 1

31 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$1

Violation Final Penalty Total \$6,275

This violation Final Assessed Penalty (adjusted for limits) \$6,275

**Economic Benefit Worksheet****Respondent** ExxonMobil Oil Corporation**Case ID No.** 34677**Reg. Ent. Reference No.** RN102450756**Media Air****Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,000	31-Mar-2006	7-Apr-2006	0.0	\$1	n/a	\$1
Other (as needed)				0.0	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated cost of training and implementation of procedures to verify operation within permit parameters. Date required is the first day data was available as to rolling averages of flare emissions. Final date is the day the revised permit went into effect.

**Avoided Costs****ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

**Notes for AVOIDED costs****Approx. Cost of Compliance****\$1,000****TOTAL****\$1**



# Compliance History

Customer/Respondent/Owner-Operator:	CN600920748	ExxonMobil Oil Corporation	Classification: Average	Rating: 3.85
Regulated Entity:	RN102450756	EXXONMOBIL BEAUMONT REFINERY	Classification: Average	Site Rating: 16.61
ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT	655	
	AIR NEW SOURCE PERMITS	PERMIT	1202	
	AIR NEW SOURCE PERMITS	PERMIT	1519	
	AIR NEW SOURCE PERMITS	PERMIT	3913	
	AIR NEW SOURCE PERMITS	PERMIT	7018	
	AIR NEW SOURCE PERMITS	PERMIT	7208	
	AIR NEW SOURCE PERMITS	PERMIT	7760	
	AIR NEW SOURCE PERMITS	PERMIT	10291	
	AIR NEW SOURCE PERMITS	PERMIT	11306	
	AIR NEW SOURCE PERMITS	PERMIT	12139	
	AIR NEW SOURCE PERMITS	PERMIT	12817	
	AIR NEW SOURCE PERMITS	PERMIT	13120	
	AIR NEW SOURCE PERMITS	PERMIT	15261	
	AIR NEW SOURCE PERMITS	PERMIT	18276	
	AIR NEW SOURCE PERMITS	PERMIT	18277	
	AIR NEW SOURCE PERMITS	PERMIT	18424	
	AIR NEW SOURCE PERMITS	PERMIT	19566	
	AIR NEW SOURCE PERMITS	PERMIT	20862	
	AIR NEW SOURCE PERMITS	PERMIT	22999	
	AIR NEW SOURCE PERMITS	PERMIT	24159	
	AIR NEW SOURCE PERMITS	PERMIT	26121	
	AIR NEW SOURCE PERMITS	PERMIT	27000	
	AIR NEW SOURCE PERMITS	PERMIT	26860	
	AIR NEW SOURCE PERMITS	PERMIT	27539	
	AIR NEW SOURCE PERMITS	PERMIT	26859	
	AIR NEW SOURCE PERMITS	PERMIT	30543	
	AIR NEW SOURCE PERMITS	PERMIT	31227	
	AIR NEW SOURCE PERMITS	PERMIT	33642	
	AIR NEW SOURCE PERMITS	PERMIT	33907	
	AIR NEW SOURCE PERMITS	PERMIT	34543	
	AIR NEW SOURCE PERMITS	PERMIT	34963	
	AIR NEW SOURCE PERMITS	PERMIT	37234	
	AIR NEW SOURCE PERMITS	PERMIT	41034	
	AIR NEW SOURCE PERMITS	PERMIT	40837	
	AIR NEW SOURCE PERMITS	PERMIT	42063	
	AIR NEW SOURCE PERMITS	PERMIT	42051	
	AIR NEW SOURCE PERMITS	PERMIT	42730	
	AIR NEW SOURCE PERMITS	PERMIT	42852	
	AIR NEW SOURCE PERMITS	PERMIT	42951	
	AIR NEW SOURCE PERMITS	PERMIT	43132	
	AIR NEW SOURCE PERMITS	PERMIT	43433	
	AIR NEW SOURCE PERMITS	PERMIT	43675	
	AIR NEW SOURCE PERMITS	PERMIT	44038	
	AIR NEW SOURCE PERMITS	PERMIT	45695	
	AIR NEW SOURCE PERMITS	PERMIT	46329	
	AIR NEW SOURCE PERMITS	PERMIT	46434	
	AIR NEW SOURCE PERMITS	PERMIT	46534	
	AIR NEW SOURCE PERMITS	PERMIT	46743	
	AIR NEW SOURCE PERMITS	PERMIT	47064	
	AIR NEW SOURCE PERMITS	PERMIT	47063	
	AIR NEW SOURCE PERMITS	PERMIT	47062	
	AIR NEW SOURCE PERMITS	PERMIT	47175	
	AIR NEW SOURCE PERMITS	PERMIT	47358	
	AIR NEW SOURCE PERMITS	PERMIT	47589	
	AIR NEW SOURCE PERMITS	PERMIT	47815	
	AIR NEW SOURCE PERMITS	PERMIT	48110	
	AIR NEW SOURCE PERMITS	PERMIT	49135	
	AIR NEW SOURCE PERMITS	PERMIT	49138	
	AIR NEW SOURCE PERMITS	PERMIT	49142	
	AIR NEW SOURCE PERMITS	PERMIT	49143	
	AIR NEW SOURCE PERMITS	PERMIT	49145	
	AIR NEW SOURCE PERMITS	PERMIT	49596	

AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
AIR NEW SOURCE PERMITS	PERMIT	52713
AIR NEW SOURCE PERMITS	PERMIT	52733
AIR NEW SOURCE PERMITS	PERMIT	52926
AIR NEW SOURCE PERMITS	PERMIT	53561
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M1
AIR NEW SOURCE PERMITS	REGISTRATION	74241
AIR NEW SOURCE PERMITS	REGISTRATION	82697
AIR NEW SOURCE PERMITS	REGISTRATION	71938
AIR NEW SOURCE PERMITS	REGISTRATION	72166
AIR NEW SOURCE PERMITS	REGISTRATION	71990
AIR NEW SOURCE PERMITS	REGISTRATION	55220
AIR NEW SOURCE PERMITS	REGISTRATION	55233
AIR NEW SOURCE PERMITS	REGISTRATION	54963
AIR NEW SOURCE PERMITS	REGISTRATION	55175
AIR NEW SOURCE PERMITS	REGISTRATION	75794
AIR NEW SOURCE PERMITS	REGISTRATION	76388
AIR NEW SOURCE PERMITS	REGISTRATION	75736
AIR NEW SOURCE PERMITS	PERMIT	75302
AIR NEW SOURCE PERMITS	REGISTRATION	55737
AIR NEW SOURCE PERMITS	REGISTRATION	75572
AIR NEW SOURCE PERMITS	REGISTRATION	75426
AIR NEW SOURCE PERMITS	REGISTRATION	75528
AIR NEW SOURCE PERMITS	REGISTRATION	75508
AIR NEW SOURCE PERMITS	REGISTRATION	75845
AIR NEW SOURCE PERMITS	REGISTRATION	76054
AIR NEW SOURCE PERMITS	REGISTRATION	70003
AIR NEW SOURCE PERMITS	PERMIT	56259
AIR NEW SOURCE PERMITS	REGISTRATION	70001
AIR NEW SOURCE PERMITS	AFS NUM	4824500018
AIR NEW SOURCE PERMITS	REGISTRATION	70104
AIR NEW SOURCE PERMITS	PERMIT	70613
AIR NEW SOURCE PERMITS	REGISTRATION	70541
AIR NEW SOURCE PERMITS	PERMIT	56617
AIR NEW SOURCE PERMITS	PERMIT	48623
AIR NEW SOURCE PERMITS	REGISTRATION	70376
AIR NEW SOURCE PERMITS	PERMIT	49134
AIR NEW SOURCE PERMITS	PERMIT	49125
AIR NEW SOURCE PERMITS	PERMIT	49146
AIR NEW SOURCE PERMITS	PERMIT	49148
AIR NEW SOURCE PERMITS	PERMIT	49151
AIR NEW SOURCE PERMITS	REGISTRATION	71024
AIR NEW SOURCE PERMITS	EPA ID	PSDTX932
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M
AIR NEW SOURCE PERMITS	PERMIT	70805
AIR NEW SOURCE PERMITS	REGISTRATION	70983
AIR NEW SOURCE PERMITS	REGISTRATION	70794
AIR NEW SOURCE PERMITS	REGISTRATION	71302
AIR NEW SOURCE PERMITS	REGISTRATION	71378
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992
AIR NEW SOURCE PERMITS	REGISTRATION	71100
AIR NEW SOURCE PERMITS	REGISTRATION	71277
AIR NEW SOURCE PERMITS	PERMIT	54483
AIR NEW SOURCE PERMITS	PERMIT	50669
AIR NEW SOURCE PERMITS	PERMIT	53040
AIR NEW SOURCE PERMITS	PERMIT	53560
AIR NEW SOURCE PERMITS	PERMIT	52284
AIR NEW SOURCE PERMITS	PERMIT	55291
AIR NEW SOURCE PERMITS	PERMIT	56799
AIR NEW SOURCE PERMITS	PERMIT	56709
AIR NEW SOURCE PERMITS	PERMIT	52598
AIR NEW SOURCE PERMITS	PERMIT	52599
AIR NEW SOURCE PERMITS	PERMIT	54299
AIR NEW SOURCE PERMITS	PERMIT	54091
AIR NEW SOURCE PERMITS	PERMIT	55031
AIR NEW SOURCE PERMITS	PERMIT	54487
AIR NEW SOURCE PERMITS	PERMIT	54486
AIR NEW SOURCE PERMITS	PERMIT	71741
AIR NEW SOURCE PERMITS	PERMIT	71048

AIR NEW SOURCE PERMITS	PERMIT	50583
AIR NEW SOURCE PERMITS	REGISTRATION	105370
AIR NEW SOURCE PERMITS	PERMIT	54768
AIR NEW SOURCE PERMITS	REGISTRATION	72569
AIR NEW SOURCE PERMITS	REGISTRATION	72780
AIR NEW SOURCE PERMITS	REGISTRATION	73120
AIR NEW SOURCE PERMITS	REGISTRATION	72646
AIR NEW SOURCE PERMITS	PERMIT	55522
AIR NEW SOURCE PERMITS	PERMIT	55654
AIR NEW SOURCE PERMITS	PERMIT	55617
AIR NEW SOURCE PERMITS	PERMIT	56434
AIR NEW SOURCE PERMITS	PERMIT	56428
AIR NEW SOURCE PERMITS	PERMIT	52240
AIR NEW SOURCE PERMITS	PERMIT	P802
AIR NEW SOURCE PERMITS	PERMIT	52300
AIR NEW SOURCE PERMITS	REGISTRATION	72659
AIR NEW SOURCE PERMITS	REGISTRATION	74104
AIR NEW SOURCE PERMITS	REGISTRATION	74072
AIR NEW SOURCE PERMITS	REGISTRATION	73897
AIR NEW SOURCE PERMITS	PERMIT	72534
AIR NEW SOURCE PERMITS	PERMIT	73620
AIR NEW SOURCE PERMITS	REGISTRATION	74552
AIR NEW SOURCE PERMITS	REGISTRATION	74399
AIR NEW SOURCE PERMITS	REGISTRATION	74615
AIR NEW SOURCE PERMITS	PERMIT	75132
AIR NEW SOURCE PERMITS	PERMIT	75054
AIR NEW SOURCE PERMITS	REGISTRATION	74990
AIR NEW SOURCE PERMITS	REGISTRATION	75143
AIR NEW SOURCE PERMITS	REGISTRATION	75172
AIR NEW SOURCE PERMITS	REGISTRATION	75350
AIR NEW SOURCE PERMITS	REGISTRATION	74993
AIR NEW SOURCE PERMITS	REGISTRATION	74994
AIR NEW SOURCE PERMITS	REGISTRATION	74995
AIR NEW SOURCE PERMITS	REGISTRATION	74997
AIR NEW SOURCE PERMITS	REGISTRATION	75133
AIR NEW SOURCE PERMITS	PERMIT	75180
AIR NEW SOURCE PERMITS	REGISTRATION	75329
AIR NEW SOURCE PERMITS	REGISTRATION	75308
AIR NEW SOURCE PERMITS	REGISTRATION	75279
AIR NEW SOURCE PERMITS	REGISTRATION	75267
AIR NEW SOURCE PERMITS	REGISTRATION	75281
AIR NEW SOURCE PERMITS	REGISTRATION	76471
AIR NEW SOURCE PERMITS	REGISTRATION	76838
AIR NEW SOURCE PERMITS	EPA ID	PSDTX799
AIR NEW SOURCE PERMITS	EPA ID	PSDTX802
AIR NEW SOURCE PERMITS	REGISTRATION	76779
AIR NEW SOURCE PERMITS	REGISTRATION	76467
AIR NEW SOURCE PERMITS	PERMIT	76869
AIR NEW SOURCE PERMITS	REGISTRATION	77009
AIR NEW SOURCE PERMITS	REGISTRATION	77375
AIR NEW SOURCE PERMITS	REGISTRATION	77460
AIR NEW SOURCE PERMITS	REGISTRATION	77712
AIR NEW SOURCE PERMITS	REGISTRATION	77844
AIR NEW SOURCE PERMITS	REGISTRATION	77932
AIR NEW SOURCE PERMITS	REGISTRATION	78100
AIR NEW SOURCE PERMITS	REGISTRATION	77363
AIR NEW SOURCE PERMITS	REGISTRATION	78516
AIR NEW SOURCE PERMITS	REGISTRATION	78190
AIR NEW SOURCE PERMITS	REGISTRATION	78247
AIR NEW SOURCE PERMITS	REGISTRATION	78250
AIR NEW SOURCE PERMITS	REGISTRATION	78290
AIR NEW SOURCE PERMITS	REGISTRATION	78475
AIR NEW SOURCE PERMITS	REGISTRATION	78609
AIR NEW SOURCE PERMITS	REGISTRATION	78676
AIR NEW SOURCE PERMITS	REGISTRATION	78792
AIR NEW SOURCE PERMITS	REGISTRATION	78799
AIR NEW SOURCE PERMITS	REGISTRATION	78982
AIR NEW SOURCE PERMITS	REGISTRATION	79185
AIR NEW SOURCE PERMITS	REGISTRATION	79620

AIR NEW SOURCE PERMITS	REGISTRATION	79853
AIR NEW SOURCE PERMITS	REGISTRATION	79506
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	REGISTRATION	80078
AIR NEW SOURCE PERMITS	REGISTRATION	80495
AIR NEW SOURCE PERMITS	PERMIT	80203
AIR NEW SOURCE PERMITS	REGISTRATION	80819
AIR NEW SOURCE PERMITS	REGISTRATION	80595
AIR NEW SOURCE PERMITS	REGISTRATION	80461
AIR NEW SOURCE PERMITS	REGISTRATION	80978
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992M1
AIR NEW SOURCE PERMITS	REGISTRATION	80037
AIR NEW SOURCE PERMITS	REGISTRATION	81505
AIR NEW SOURCE PERMITS	REGISTRATION	81398
AIR NEW SOURCE PERMITS	REGISTRATION	81188
AIR NEW SOURCE PERMITS	REGISTRATION	82073
AIR NEW SOURCE PERMITS	REGISTRATION	82555
AIR NEW SOURCE PERMITS	PERMIT	82413
AIR NEW SOURCE PERMITS	REGISTRATION	82685
AIR NEW SOURCE PERMITS	REGISTRATION	82299
AIR NEW SOURCE PERMITS	REGISTRATION	82611
AIR NEW SOURCE PERMITS	REGISTRATION	82818
AIR NEW SOURCE PERMITS	REGISTRATION	82776
AIR NEW SOURCE PERMITS	REGISTRATION	82510
AIR NEW SOURCE PERMITS	REGISTRATION	82446
AIR NEW SOURCE PERMITS	REGISTRATION	82535
AIR NEW SOURCE PERMITS	REGISTRATION	82813
WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	PERMIT	TPDES0118737
WASTEWATER	PERMIT	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2045
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049

INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	SOLID WASTE REGISTRATION # (SWR)	30587
STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30587
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50139
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD990797714
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30587

Location: 1795 BURT ST, BEAUMONT, TX, 77701 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: September 19, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 19, 2002 to September 19, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: James Nolan Phone: (512) 239-6634

#### Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

#### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the state of Texas and the federal government.

Effective Date: 09/26/2004

ADMINORDER 2002-0722-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Conditions 8 and 10 PERMIT

Description: Failed to repair Valve 3005 while the Hydrocracker facility was shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT  
Special Conditions 1.F. & 8 PERMIT

Description: Failed to perform monthly monitoring of accessible valves following installation or discovery in order to establish two consecutive months of leak-free operation.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 10 PERMIT

Description: Failed to report Valve 5922 in the 40 CFR Subpart VV semi-annual equipment leaks report for the period from July 1, 2000, through December 31, 2000,

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to record daily notations for 24 days in the flare log for Process Flares (Emission Point Nos. 60FLR#003 and 60FLR#005) from January 1, 2001, through December 31, 2001

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit sulfur dioxide (SO<sub>2</sub>) emissions of Crude B Vacuum Heater H-3102 Stack (Emission Point No. 05STK\_002) on August 14, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 35 PERMIT

Description: Failed to limit emissions of carbon monoxide (CO), particulate matter of ten microns or greater (PM<sub>10</sub>), and oxides of nitrogen (NO<sub>x</sub>) from the HDC Second Stage Furnace H-3303 Stack.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER PERMIT

Description: Failed to limit the hourly CO emissions from the HDC Stabilizer Reboiler Heater H-3304 Stack (Emission Point No. 20STK\_004) during a two-hour event which began on December 12, 2001, at 0800 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18277/PSD-TX-802 PERMIT  
19566/PSD-TX-768M1 PERMIT

Special Condition 6.B. and 8 PERMIT  
Special Condition No. 5 PERMIT  
Special Condition No. 7 PERMIT

Description: Failed to limit the SO<sub>2</sub> emissions from 14 emission points during events which occurred on 7/22, 12/20/2001, and 01/21/2002. Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H<sub>2</sub>S) to less than 150 parts per million by volume (ppmv) during events which occurred on 07/22, 12/20/2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Description: Failed to limit hourly SO<sub>2</sub> emissions from Boiler 22 (Emission Point No. 033S01) to the applicable Permitted MAER limits during an event which occurred at 1800 hours on June 15, 2001.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: MAER and Special Condition No. 1 PERMIT

Special Condition No. 2 PERMIT

Description: Failed to limit the H<sub>2</sub>S concentration in the fuel gas to 150 ppmv during an event which occurred at 1715 hours on June 15, 2001, and was caused by the infrequent purging of the dryer treater beds.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to monitor Pressure Relief Valve 2435 within 24 hours after it vented to the atmosphere on April 9, 2002, at 1845 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT GGG 60.592(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valves 3595, 6027, 6071, 1537, and 5227 within 15 days after the leaks were detected during monitoring conducted on February 28, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 14 PERMIT

Description: Failed to provide a carbon absorption system (CAS) which consists of at least two activated carbon canisters connected in series for Tank 764.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to repair Valve 1249 in OMCC Unit 1 when the emissions of purged material resulting from immediate repair are not greater than the fugitive emissions likely to result from the delay of repair.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 101, SubChapter A 101.20[G]

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 6.B. and 8 OP

Special Condition No. 5 OP

Special Condition No. 7 OP

Description: Failed to limit the Hydrocracker's fuel gas concentration of hydrogen sulfide (H<sub>2</sub>S) to less than 150 parts per million by volume (ppmv) during events which occurred on July 22, December 20, 2001, and January 21, 2002.

Effective Date: 10/10/2005

ADMINORDER 2004-0987-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

30 TAC Chapter 101, SubChapter F 101.201(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly submit initial and final emissions event notifications in a timely manner.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 46534 PERMIT

Description: Failure to prevent an unauthorized emissions release at the facility.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain an emission rate below the allowable emission limit.

Effective Date: 06/15/2006

ADMINORDER 2003-1470-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

40 CFR Part 63, Subpart CC 63.648(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)

40 CFR Part 63, Subpart CC 63.648(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

40 CFR Part 63, Subpart CC 63.648(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)

40 CFR Part 63, Subpart CC 63.648(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566 PERMIT

19566/PSD-TX-768M1, GC No. 8. PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)



5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for Incident No. 17640.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 46534 PERMIT  
Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on March 2, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT  
Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT  
Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT  
Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT  
Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT  
Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

30 TAC Chapter 101, SubChapter F 101.201(b)(8)

30 TAC Chapter 101, SubChapter F 101.201(b)(9)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)[G]  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Satellite Instrumentation Building.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 49135, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006

ADMINORDER 2006-0057-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: O-02042, Special Condition 2F OP

Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37398).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex.

Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37400).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Alkylation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

Effective Date: 05/25/2007

ADMINORDER 2006-1704-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	09/20/2002	(233725)
2	09/25/2002	(11047)
3	10/28/2002	(233727)
4	12/02/2002	(233729)
5	01/03/2003	(233731)
6	01/27/2003	(233733)
7	02/24/2003	(233709)
8	03/24/2003	(233712)
9	04/22/2003	(327156)
10	05/27/2003	(327157)
11	06/24/2003	(233719)
12	08/18/2003	(119924)
13	08/27/2003	(151728)
14	08/28/2003	(150045)
15	08/29/2003	(145367)
16	08/29/2003	(35495)
17	09/10/2003	(327158)
18	09/10/2003	(327159)
19	10/07/2003	(327160)
20	10/17/2003	(252163)
21	10/17/2003	(252265)
22	10/17/2003	(251900)
23	10/31/2003	(327161)
24	11/25/2003	(327162)
25	12/17/2003	(255436)
26	12/29/2003	(327163)
27	01/23/2004	(327164)
28	02/02/2004	(260646)
29	02/23/2004	(327154)
30	03/16/2004	(327155)
31	03/24/2004	(261303)
32	03/24/2004	(261298)
33	03/24/2004	(262516)
34	04/29/2004	(366899)
35	05/17/2004	(366900)
36	06/16/2004	(273971)
37	06/22/2004	(264038)
38	06/25/2004	(366901)
39	07/19/2004	(366902)
40	08/13/2004	(276974)
41	08/13/2004	(280106)
42	08/13/2004	(280181)
43	08/16/2004	(264052)
44	08/27/2004	(366903)
45	08/31/2004	(292712)
46	09/21/2004	(366904)
47	10/20/2004	(366905)
48	11/29/2004	(389976)
49	11/29/2004	(339535)
50	12/15/2004	(338648)
51	12/20/2004	(264045)
52	12/20/2004	(341746)
53	12/27/2004	(389977)
54	01/24/2005	(389978)
55	01/31/2005	(345533)
56	02/23/2005	(427483)
57	02/25/2005	(267873)
58	03/09/2005	(346617)

59	03/10/2005	(345884)
60	03/10/2005	(346613)
61	03/10/2005	(346615)
62	03/10/2005	(346618)
63	03/10/2005	(346616)
64	03/10/2005	(346614)
65	03/10/2005	(346619)
66	03/10/2005	(346611)
67	04/28/2005	(427484)
68	04/28/2005	(427485)
69	05/18/2005	(377810)
70	05/18/2005	(377819)
71	05/18/2005	(374451)
72	05/24/2005	(379947)
73	05/24/2005	(427486)
74	06/07/2005	(393785)
75	06/14/2005	(381060)
76	06/21/2005	(427487)
77	06/21/2005	(394212)
78	06/23/2005	(395768)
79	07/05/2005	(395074)
80	07/05/2005	(395563)
81	07/15/2005	(396321)
82	07/25/2005	(395338)
83	07/28/2005	(447521)
84	08/02/2005	(402309)
85	08/02/2005	(402062)
86	08/23/2005	(401849)
87	08/25/2005	(402894)
88	08/29/2005	(447522)
89	08/31/2005	(344208)
90	10/24/2005	(492450)
91	10/24/2005	(492452)
92	11/15/2005	(406621)
93	11/22/2005	(492453)
94	12/06/2005	(437354)
95	12/09/2005	(435820)
96	12/13/2005	(492454)
97	01/04/2006	(437358)
98	01/13/2006	(439898)
99	01/18/2006	(492455)
100	01/27/2006	(438715)
101	02/03/2006	(438108)
102	02/16/2006	(452454)
103	02/24/2006	(457000)
104	03/07/2006	(492448)
105	03/22/2006	(492449)
106	04/12/2006	(457598)
107	04/12/2006	(457576)
108	04/21/2006	(458117)
109	04/21/2006	(506263)
110	04/24/2006	(456876)
111	05/05/2006	(438988)
112	05/11/2006	(460411)
113	05/16/2006	(506264)
114	06/26/2006	(506265)
115	07/14/2006	(480861)
116	07/21/2006	(528497)
117	07/26/2006	(483331)
118	08/22/2006	(528498)
119	08/24/2006	(528500)
120	08/31/2006	(449600)
121	09/06/2006	(510836)
122	09/08/2006	(490101)
123	09/11/2006	(510537)
124	09/21/2006	(510357)
125	09/27/2006	(528499)
126	10/18/2006	(551856)

127	11/09/2006	(518560)
128	11/29/2006	(551857)
129	12/08/2006	(531717)
130	12/08/2006	(519497)
131	12/11/2006	(533072)
132	12/11/2006	(518157)
133	12/15/2006	(551858)
134	12/28/2006	(497673)
135	12/28/2006	(489839)
136	12/28/2006	(292610)
137	12/28/2006	(518617)
138	01/18/2007	(532456)
139	01/24/2007	(531178)
140	01/31/2007	(535664)
141	02/01/2007	(538035)
142	02/01/2007	(517030)
143	02/13/2007	(483611)
144	02/14/2007	(534587)
145	02/22/2007	(589095)
146	02/22/2007	(589100)
147	02/26/2007	(538573)
148	02/27/2007	(538681)
149	02/28/2007	(538222)
150	03/01/2007	(538654)
151	03/21/2007	(553990)
152	03/23/2007	(589096)
153	04/16/2007	(589097)
154	04/21/2007	(401393)
155	04/21/2007	(497645)
156	04/23/2007	(553970)
157	05/11/2007	(559959)
158	05/18/2007	(589098)
159	05/25/2007	(561932)
160	06/01/2007	(562352)
161	06/14/2007	(558039)
162	06/25/2007	(589099)
163	06/26/2007	(561757)
164	07/03/2007	(566239)
165	07/24/2007	(564244)
166	07/25/2007	(565599)
167	07/25/2007	(562752)
168	07/25/2007	(563491)
169	08/14/2007	(565531)
170	08/23/2007	(565800)
171	08/28/2007	(557812)
172	08/28/2007	(563149)
173	08/30/2007	(554099)
174	08/31/2007	(573644)
175	08/31/2007	(483835)
176	09/14/2007	(563130)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 10/31/2002 (233729)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2004 (366902)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2004 (292712)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart VV 60.482-6[G]



Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	OP O-01998		
	Failure to operate Crude Unit B without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01998		
Description:	Failure to report all instances of deviations on the semi-annual deviation report, dated January 9, 2004.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01998		
Description:	Failure to operate the Crude Unit B Heaters with refinery fuel gas which contains not more than 150 ppmv of H2S.		
Date:	08/25/2005 (402894)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 655 OP O-01356		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 22FUG#001, 23FUG#001, 33FUG#001, 15FUG#001, and 16FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 19566 OP O-01356		
Description:	Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about DEA-3 sewer repairs and corrective actions taken Unit ID 18SEW#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 655 OP O-01356		
Description:	Failure to repair an accessible valve within 15 days after a leak is found in Unit ID 16FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-01870		
Description:	Failure to document in the semiannual report period, January 1, 2004 through June 30, 2004, information about Sulfur Recovery Unit (SRU) sewer repairs and corrective actions taken for Unit ID 32SEW#002.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c)		

Rqmt Prov:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b) PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-01998		
Description:	Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service in Unit ID 05FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c)  30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 20862/PSD-TX-799 OP O-01999		
Description:	Failure to provide two quarterly reports, for Unit ID 55TRB#GTG, within 30 days following the end of each calendar quarter as required in 40 CFR 60.334(j)(5).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter A 382.085(a)		
Rqmt Prov:	OP O-01999		
Description:	Failure to operate two sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 67FUG#001 and 67FUG#002.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01999		
Description:	Failure to operate five tank access hatches and gauge float wells without gasket and bolted covers for Unit ID's 47TIF#0411, 47TIF#0412, 47TIF#0413, 47TIF#1312, and 47TIF#1313.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01999		
Description:	Failure to repair an accessible valve, for Unit ID 67FUG#002, within 15 days after a leak is found.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(5) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01999		
Description:	Failure to tag a leaking valve, located in Unit ID 67FUG#002, following discovery of the leak.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.356(2)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01999		
Description:	Failure to maintain records, for Unit ID 67FUG#002, of any audio, visual, and olfactory inspections of connectors if a leak is detected.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(A) 30 TAC Chapter 115, SubChapter D 115.354(2)(B) 30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 115, SubChapter D 115.354(2)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	OP O-01999		
Description:	Failure to monitor in each calendar quarter, with a hydrocarbon gas analyzer, the screening concentration for components in VOC service for Unit ID's 67FUG#001 and 67FUG#002.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4)		

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
OP O-02037

Rqmt Prov:  
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:  
Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system that were located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001.

Date: 10/31/2005 (492453)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 04/25/2006 (456876)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
OP O-01870  
OP O-01871  
OP O-02039  
OP O-02040

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
OP O-01870

Description: Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
OP O-01870

Description: Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT\_005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49138  
OP O-01871

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01871

Description:	Failure to operate smokeless flare.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-02039		
Description:	Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-02039		
Description:	Failure to maintain a retaining wall around the coke stockpile.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-02039 OP O-02040		
Description:	Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up monitoring in May, 2005 for three leaks repaired in March, 2005.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02040		
Description:	Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02040		
Description:	Failure to control emissions to an efficiency of at least 90 % for one hotwell.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02040		
Description:	Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02040		
Description:	Failure to keep quarterly records of visible emission inspections on heaters.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 49134 OP O-02040		

Description:	Failure to make the first attempt of repair on a leaking valve within five days.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-01871	
Description:	Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	PERMIT 49134 OP O-02040	
Description:	Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)	
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-01356 OP O-01870 OP O-02042 OP O-02043	
Description:	Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)	
Description:	Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.	
Date:	05/05/2006 (438988)	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 335, SubChapter R 335.513[G]	
Description:	Failure to complete waste classifications on non-hazardous, industrial wastes.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 335, SubChapter C 335.62 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11[G]	
Description:	Failure to complete a hazardous waste determination for each solid waste generated.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.6(c) 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B) 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C) 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)	
Rqmt Prov:	PERMIT HW-50139-000	
Description:	Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.9(a)(1)[G]	
Description:	Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)	
Description:	Failure to maintain a record of the location of each satellite accumulation area (SAA).	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 335, SubChapter F 335.152(a)(7) 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)	
Rqmt Prov:	PERMIT 50139 PP V.B.3.	
Description:	Failure to manage hazardous wastes as authorized by permit.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 335, SubChapter F 335.152(a)(7) 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)	
Rqmt Prov:	PERMIT II.C.1.f.	
Description:	Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.	
Self Report?	NO	Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(1)  
Rqmt Prov: PERMIT PP.II.C.1.f.  
PERMIT PP.II.C.2.a.  
Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)

Rqmt Prov: PERMIT PP.II.C.1.f.  
PERMIT PP.II.C.2.c.

Description: Failure to maintain a list of persons qualified to act as emergency coordinator.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)[G].  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)

Rqmt Prov: IHWPERMTCP PP. VI.D.1.c.

Description: Failure to follow the Sampling and Analysis Plan as required by permit.

Date: 07/18/2006 (480861)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: OP O-02042

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1  
PERMIT 49135  
OP O-02042  
OP O-02043  
OP O-02044  
OP O-02047

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 18277/PSD-TX-802  
PERMIT 19566/PSD-TX-768M1  
OP O-02042  
OP O-02043

Description: Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 19566/PSD-TX-768M1  
OP O-02042  
OP O-02044  
OP O-02047

Description: Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) PERMIT 46534/PSD-TX-922 OP O-02044		
Description:	Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK_002.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02047		
Description:	Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to submit the annual compliance certifications for OP O-02036, O-02043, and O-02047 within 30 days of the certification period.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02042		
Description:	Failure to maintain the Platinum Reformer (PtR) 3 Regenerator pH above the regulatory limit.		
Date:	08/31/2006 (528499)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2006 (551857)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	12/12/2006 (518157)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.146(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02048 OP O-02048, General Terms and Conditions OP O-02049 OP O-02049, General Terms and Conditions		
Description:	Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01998 OP O-02037 OP O-02041 OP O-02048 OP O-02049		
Description:	Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.354(2)(A) 30 TAC Chapter 115, SubChapter D 115.354(2)(B) 30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)		

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)  
OP O-01998  
OP O-02037  
OP O-02048

Description: Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037  
OP O-02041

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's: O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02037  
OP O-02048

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02041

Description: Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 49146  
OP O-02048

Description: Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(I)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(I)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
OP O-02049

Description: Failure to conduct the five year primary seal inspections for several tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02048  
OP O-02049

Description: Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found.



Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.10(e) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) OP O-02048 OP O-02049		
Description:	Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 106, SubChapter K 106.262(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02048		
Description:	Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter B 115.114(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02049		
Description:	Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782, 50TIF#2133 and 50TIF#2203.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter B 115.114(a)(2) 30 TAC Chapter 115, SubChapter B 115.114(a)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02049		
Description:	Failure to conduct the semiannual visual secondary seal inspection for tank 50TEF#2211 and the annual gap measurement on the secondary seal for tanks 50TEF#2235 and 50TEF#2239.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02049		
Description:	Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square in atmosphere (psia).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 49125 PERMIT 56617 OP O-02037 OP O-02049		
Description:	Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 56617 OP O-02037		
Description:	Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below 4,000 bbls/hr.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to report deviations in the annual compliance certification reports for OP O-02037 and O-02049.		
Date:	02/28/2007 (589096)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		

Date: 03/01/2007 (538222)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01356

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-01999

Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date: 08/29/2007 (557812)

Self Report? NO

Classification: Moderate

Citation:	30 TAC Chapter 115, SubChapter B 115.112(a)(1) 30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) PERMIT 49125		
Description:	Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.		
Date:	08/30/2007 (554099)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.354(2)(A) 30 TAC Chapter 115, SubChapter D 115.354(2)(B) 30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 115, SubChapter D 115.354(2)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01870 OP O-02036		
Description:	Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 49138 OP O-01871		
Description:	Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01871 OP O-02039 OP O-02040		
Description:	Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX932 OP O-02036		
Description:	Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02036 OP O-02040		
Description:	Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart QQQ 60.698(b)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-02036		

Description:	Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	PERMIT 19566/PSD-TX-768M1 and PSD-TX-932 OP O-02039	
Description:	Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-02040	
Description:	Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-02040	
Description:	Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-02040	
Description:	Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.352(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-02040	
Description:	Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-02036 OP O-02040	
Description:	Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	OP O-01871	
Description:	Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3) 5C THC Chapter 382, SubChapter D 382.085(b)	
Rqmt Prov:	PERMIT 49138 OP O-01871	
Description:	Failure to operate the plant flares with a flame present at all times.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c)	

30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-01870  
 Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at  
 greater than 3% O2 in the SRU Stack on October 11, 2006.

Date: 08/30/2007 (563149)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02042  
 OP O-02047  
 Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment  
 in VOC service. C10 cannot be picked.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
 30 TAC Chapter 115, SubChapter D 115.352(1)(G)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02042  
 OP O-02043  
 OP O-02046  
 OP O-02047  
 Description: Failure to repair the following components within 15 days after a leak is found. C10  
 cannot be picked.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
 30 TAC Chapter 115, SubChapter D 115.354(2)(G)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02042  
 OP O-02043  
 OP O-02044  
 Description: Failure to monitor components in VOC service. C10 cannot be picked.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02042  
 Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID  
 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: PERMIT 19566/PSD-TX-768M1 and PSD-TX-932  
 OP O-02043  
 Description: Failure to document a weekly inspection for inactive drains and two monthly inspections  
 for active drains located in the following Unit ID 20SEW#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: OP O-02043  
 OP O-02044

Description: Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02042

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end of the reporting period.

F. Environmental audits.

Notice of Intent Date: 08/22/2005 (455176)

Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV

Description: Failure to meet the requirements for difficult to monitor components.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
EXXONMOBIL OIL CORPORATION  
RN102450756**

**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2007-1547-AIR-E**

### **I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petroleum refinery at 1795 Burt Street in Beaumont, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about September 4, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Thirty-One Thousand Three Hundred Seventy-Five Dollars (\$31,375) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Twelve Thousand Five Hundred Fifty Dollars (\$12,550) of the administrative penalty and Six Thousand Two Hundred Seventy-Five Dollars





(\$6,275) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Twelve Thousand Five Hundred Fifty Dollars (\$12,550) shall be conditionally offset by The Respondent's completion of a Supplemental Environmental Project.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented corrective measures at the Plant by initiating the permit amendment process on New Source Review Permit No. 49138, resulting in a permit change effective April 7, 2006 which brought the Respondent into compliance.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound ("VOC") emissions for the CHD-1 flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year ("tpy") during January 2006 and February 2006 with rolling averages of 18.38 tpy and 18.95 tpy, respectively.
2. Failed to maintain the annual 12 month rolling average limit for VOC emissions for the Low Pressure ("LP") flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy.



3. Failed to maintain the annual 12 month rolling average limit for VOC emissions for the High Pressure ("HP") flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ExxonMobil Oil Corporation, Docket No. 2007-1547-AIR-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Twelve Thousand Five Hundred Fifty Dollars (\$12,550) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and



substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director

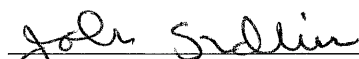
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

  
For the Executive Director


3/21/2008  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

1/19/08  
Date

Refinery Mgr (Daniel Russo)  
Name (Printed or typed)  
Authorized Representative of  
ExxonMobil Oil Corporation

Agent and Attorney-In-Fact  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.





**Attachment A**  
**Docket Number: 2007-1547-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>ExxonMobil Oil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Twenty-Five Thousand One Hundred Dollars (\$25,100)</b>
<b>SEP Amount:</b>	<b>Twelve Thousand Five Hundred Fifty Dollars (\$12,550)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Texas Association of Resource Conservation and Development Areas, Inc. ("RC&amp;D")- Clean School Buses</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**A. Project**

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to aid local school districts, area transit agencies, and local governments in need of funding assistance to pay for the cost of the following activities to reduce emissions: 1) replacing older diesel buses with alternative fuelled or clean diesel buses; or 2) retrofitting older diesel buses with new, cleaner technology. The funds will be disbursed on a needs-rated basis, using non-attainment area status, condition of buses, and economic status of the recipient as possible rating factors if competition for the funds exists. To maximize funds, retrofitting will take priority over replacement of buses. Older buses deemed not suitable for retrofitting will be permanently retired and sold only for scrap.

Acceptable retrofit technologies include particulate matter traps, diesel particulate matter filters, nitrogen oxides (NO<sub>x</sub>) reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by the United States Environmental Protection Agency ("EPA") or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

**B. Environmental Benefit**

This SEP will provide a discernible environmental benefit by reducing particulate matter and hydrocarbon emissions from buses, to meet the new, more stringent emissions standards introduced by the EPA which will be phased in between 2007 and 2010.



C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.  
1716 Briarcrest Drive, Suite 510  
Bryan, Texas 77802-2700

**3. Records and Reporting**

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality  
Financial Administration Division, Revenues  
Attention: Cashier, MC 214  
P.O. Box 13088  
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

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**5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

10/10/10

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The following information is for your information only. It is not intended to be used as a basis for any decision. It is not intended to be used as a basis for any decision. It is not intended to be used as a basis for any decision.

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